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DEPUTY COMPACT ADMINISTRATORS

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Mailing Address (includes Overnight) in Triplicate To: Tennessee ICPC Unit
Tennessee Department of Children's Services
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Assignments: (Case Assignments/Records are listed by the last name of the oldest child)

Cheri Stewart, Deputy Compact Administrator/ Program Manager (615-532-5618) Voice Mail
E-mail: Cheri.Stewart@state.tn.us
Technical Consultation and Support/Supervisor

A-F: Lea Hicks, ICPC Alternate/Program Specialist (615-532-5595) Voice Mail
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G-M: Linda McLeskey, ICPC Alternate/Program Coordinator (615-532-5593) Voice Mail
E-mail: Linda.Mcleskey@state.tn.us

N-Z: Alice Ann Reid, ICPC Alternate Program/Coordinator (615-532-5617) Voice Mail
E-mail: Alice.Ann.Reid@state.tn.us

Telephone Calls and E-mails Should be directed to the Appropriate Administrator or Alternate

ICPC Office Hours: Monday - Friday, 8:00 a.m. to 4:30 p.m., Central Time Zone.

FAX: (615) 253-5422. Limit of 5 pages

GENERAL INFORMATION

ICPC Code Citation: (T.C.A secs. 37-4-201 through 37-4-207 (1974 Supp.).

Statutory Penalties Under Article IV. Violation of child placement laws-class "A" misdemeanor-fine up to \$200 and/or imprisonment to 6 months. (T.C.A. sec. 37-5-405 (1975).

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Age of Majority. 18 years. (T.C.A. sec. 1-3-105; 37-1-102; 36-1-102; (1974 Supp.)). Children who are under court jurisdiction due to a delinquent adjudication prior to their 18th birthday remain under court jurisdiction until their 19th birthday. (T.C.A. sec. 37-1-103).

Court Jurisdiction. Juvenile Court: Jurisdiction under T.C.A. sec. 37-1-101 et. seq. over dependent and neglected, unruly, delinquent children, termination of parental rights, legitimizations, paternity, support, proceedings to commit mentally ill or mentally retarded children, appointment guardian of child, consent for marriage, over Interstate Compact cases codified at T.C.A. sec. 37-4-201.

Circuit & Chancery Courts: Divorce and custody of children related thereto - T.C.A. sec. 361-101 et seq.; 16-10-108; adoptions - T.C.A. sec. 36-1-101 and 16-10-108. Circuit Court hears appeals of juvenile cases - T.C.A. sec. 37-1-159; termination's of parental rights - T.C.A. sec. 37-1-104 and 36-1-110; concurrent with Juvenile Court. Concurrent Jurisdiction: Termination of parental rights can be done in Juvenile, Circuit, or Chancery Courts. (T.C.A. sec. 37-1-104). Children can be legitimized in Circuit, Juvenile, or Probate Court.

Parental Rights - Relinquishment/Termination. All voluntary surrenders in Tennessee can be executed in Juvenile, Circuit or Chancery court; surrenders executed in accordance with the laws of other states will be accepted. (T.C.A. sec. 36-1-114 (1986 Supp.)). Revocation period is ten (10) days. (T.C.A. sec. 36-1-117 (1986 Supp.)). T.C.A. sec. 36-2-318 establishes a putative father registry and allows the court to exclude the natural father as a party to all adoption proceedings of a child born out of wedlock. If he has failed to register, legitimate or active participate as the child's father as set forth in T.C.A. sec. 36-1-111. If termination is appropriate or necessary, such action can be taken in Juvenile, Circuit or Chancery Court. (T.C.A. sec. 37-1-104 and 37-1-147).

SPECIAL INFORMATION

Divorce Cases and Custody Investigations. Not subject to compliance with the ICPC. Divorce or custody studies are to be conducted by private providers for a fee. Private providers listed on TN DCS Internet <http://www.state.tn.us/youth/>. Requests received in the TN ICPC office will be forwarded to the TN party who will be advised to contact a private agency.

REQUIREMENTS

Referrals: At a minimum, an ICPC referral must contain a cover letter, an ICPC 100A, social or functional assessment, and documentation of sending agent's authority to plan for the child and be financially responsible for the child, and the permanency plan as appropriate and financial – medical plan and supports or equivalent. (TCA 37-4-201 ET seq.)

Monitoring/Supervision: Supervision service on children in an approved placement required monthly unless otherwise authorized or dictated by circumstances.

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Reports. Written reports quarterly unless otherwise authorized or dictated by circumstances.

Permanency/Closure: Jurisdiction is retained until concurrence is issued and appropriate documentation received. (TCA 37-4-201 ET seq.)

PLACEMENTS

Definition: Foster Care or preliminary to Adoption (TCA 37-4-201 et seq.) Defined as 24 hours a day arrangements for the care of a child in the home of a parent or relative or unrelated individual or a boarding home or child-caring agency or institution. Includes placements with parent, relative and non-parent, foster family care, licensed child-caring institution, licensed group home, licensed residential treatment facility, licensed institutional care for an adjudicated delinquent and preliminary to an adoption. Does not include any institution caring for the mentally ill, mentally challenged or epileptic or any institution primarily educational in character or any hospital or other medical facility. (TCA 37-4-201 ET seq.)

Licensing Requirements: TN DCS: Child-caring institutions (13 or more children), child placing agencies placing children for foster care or adoption), group care homes (7-12 children), family boarding homes or foster homes (1 or more children) must be licensed annually. (T.C.A. sec. 71-3-501 through 71-3-531). Foster homes operated by state, or licensed child-placing agencies are not licensed but are approved annually. These Foster homes must meet appropriate standards and are subject to inspection by DCS. Adoptive homes are not licensed but are approved annually by DCS or the applicable licensed child-placing agency. (T.C.A. sec. 71-3-518). The license of a child-placing agency includes any family boarding home or group care homes operated by the agency. (T.C.A. sec. 71-3-504).

Licensing Requirements: TN DCS and DMHDD: Residential Treatment Programs are licensed and are to be renewed annually.

Independent Adoptive Placements: Unlicensed intermediaries may assist with placement arrangements. (T.C.A. sec. 36-1-134 (1986 Supp.)). A service fee, other than medical or legal expenses or reasonable living expenses, is prohibited. (T.C.A. sec. 36-1-135). Subsequent surrenders executed in Tennessee generate a requirement that the court obtain the child's social and medical history and refer the natural parent(s) for counseling if desired. (T.C.A. sec. 36-1-114.) Investigation by DCS or a licensed child-placing agency is mandatory unless the child is related by blood to the petitioner as a grandchild, niece, nephew or is the petitioner's stepchild, then the Tennessee Court may waive the investigation. (T.C.A. sec. 36-1-118 (1986 Supp.)).

Adoption Petition: Petitioner must have lived in Tennessee or in Federal enclave within Tennessee for 6 months prior to filing of petition. Requirement not applicable to petitioner in military service, stationed out of state but who resided in Tennessee for at least one year prior to entering military service. Residence requirement waived if child is relative or stepchild of petitioner. T.C.A. sec. 36-1-115 (1974 Supp.). Final decree granted no later than 2 years and no sooner than 6 months after filing of petition. Probationary period waived for relatives. T.C.A.

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sec. 36-1-124 (1974 Supp.). Final decree may be granted as early as 6 months after filing of petition if child has resided with petitioner for at least 1 year. T.C.A. sec. 36-1-124 (1974 Supp.). Petition may be filed at time of placement or thereafter.

Licensed Child-Caring Institution, Group Home, Residential Treatment, and Institutional Care Placement: ICPC referral for placement in a Licensed facility must contain a cover letter, ICPC 100A, documentation of sending agent's authority to plan for the child and be financially responsible for the child during the period of placement and a copy of the letter of acceptance from the licensed facility.

Approval for the placement into a licensed facility is based upon the licensure status of that facility remaining in good standing.

Licensure is the responsibility of the Tennessee Department of Children's Services or the Tennessee Department of Mental Health and Disability Determination. All licenses are renewed annually.

Licensure Authorities: Department of Children's Services, Mark Anderson Director, Telephone: (615) 532-5643. Department of Mental Health and Disability Determination, Arthur Hyde, Director, Telephone: (615) 532-6590.

PAYMENTS/FEES/RATES

TNCare/Medicaid Payments. Eligibility continues for foster care and subsidized adoptive placement. Identification and enrollment of providers is required. COBRA requirements in effect for all eligible Title IV-E/Adoption Assistance foster care and adoptive placements and for adopted children who are receiving state adoption assistance payments for medical and/or rehabilitation conditions into and out of Tennessee. Legislation authorizing the Interstate Compact on Adoption and Medical Assistance is located in T.C.A. sec. 36-1-201 through 36-1-206.

Foster Care Payments. Foster parents moving from Tennessee with a foster child are expected to continue to provide care at Tennessee rates. With approval of the Director of Adoption, Foster and Kinship Care Division, rates of the receiving state will be paid for care in foster home or facility originating in the receiving state. Current TN DCS foster rates are located on TN DCS Internet: <http://www.state.tn.us/youth/>

Rate Setting: Established by the administrative body for each service.

USEFUL TELEPHONE NUMBERS

Child Abuse and Neglect Reporting. (1-800-237-0004) Tennessee DCS has a 24-7 state-wide child abuse hotline. This number should be used to report child abuse and neglect only. All other calls should be directed to the appropriate county office.

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Central Abuse Registry Contact the TN DCS county/or Regional office directly. Directory located on TN DCS Internet: <http://www.state.tn.us/youth/>

Interstate Compact on Adoption and Medical Assistance: (615-532-5634) Vicki Patrick Davis E-mail: Vicki.Patrick@state.tn.us or Vicki.Davis@state.tn.us

DCS Licensing Telephone: (615) 532-5643 Mark Anderson, Director E-mail: Mark.Anderson@state.tn.us

DMHDD Licensing Telephone: (615) 532-6590, Arthur Hyde, Director E-mail: Arthur.Hyde@state.tn.us

Juvenile Compact Office. Telephone: (615) 741-9856, Johnny Stewart, DCA. E-mail: Johnny.Stewart@state.tn.us

Runaways (Travel Arrangements) TN DCS only: (615) 741-8489 Jean Jamborsky E-mail: Jean.Jamborsky@state.tn.us

Mental Health Compact Services: Telephone: (615) 741-3709. Mental Retardation Compact, Telephone: (615) 741-3806.